

811 KAR 2:085. Running of the race.

RELATES TO: KRS 230.610-230.770

STATUTORY AUTHORITY: KRS Chapter 13A

NECESSITY, FUNCTION, AND CONFORMITY: To regulate conditions under which Arabian, quarter horse and appaloosa racing shall be conducted in Kentucky. The function of this administrative regulation outlines the requirements relating to the running of a race.

Section 1. Post Time. Post time for the first race on each racing day shall be approved by the commission. Post time for subsequent races on the same program shall be fixed by the pari-mutuels manager. At tracks where night racing is conducted, no race shall be started after 11:55 p.m.

Section 2. Horses in Paddock Not to be Touched. No person shall touch a horse while in the paddock except its licensed owner, its licensed trainer, authorized stable personnel, the paddock judge, the horse identifier, its assigned valet, a steward, a farrier, an outrider, or jockey.

Section 3. Trainer Responsibility. The trainer shall be responsible for arrival in the paddock, at the time prescribed by the paddock judge, of each horse entered by the trainer and shall supervise the saddling of such horse. If a trainer is to be absent from a track where his horses are participating in races, he must provide his own assistant trainer or licensed trainer to substitute for him during his absence.

Section 4. Withdrawal of a Horse. Every horse whose starting is obligatory is expected to run the course; except, however, that the stewards may order the withdrawal of a horse at any time up to the actual start of a race.

Section 5. Walkover. If at the time for saddling, only one (1) horse or horses owned by only one (1) stable shall be weighed out, such horse or horses of single ownership shall be ridden past the stewards' stand, go to the post and then move over the course before determination of the winner.

Section 6. Parade to the Post; Time. All horses shall parade and carry their declared weight from the paddock to the starting post, such parade to pass the stewards' stand. After passing the stewards' stand once, horses may break formation and canter, warm up, or go as they please to the post. The parade to the post shall not exceed twelve (12) minutes from the time the field enters upon the track, except in cases of unavoidable delay. If a jockey is thrown on the way to the post, such jockey must remount at the point at which thrown. In the event the jockey is so injured as to require a substitute jockey to be named for the horse by the stewards, the horse shall be returned to the paddock where the horse shall be mounted by a substitute jockey.

Section 7. Lead Pony. When, by permission of the paddock judge, a horse is led to the post by a pony, such horse may be excused from parading with the other horses, but must en route to the post, pass the stewards' stand. Lead ponies may be excluded from the saddling enclosure or walking ring, at the discretion of the stewards and paddock judge.

Section 8. Control of Horses and Jockeys by Starter. The horses and jockeys shall be under the control of the starter from the moment they enter the track until the race is started. If an accident happens to any jockey or his equipment, the starter may grant a delay to permit the substitution of a jockey or repair of equipment. During such delay the starter may permit any jockey to dismount. Should a horse break through the gate or unseat its jockey after any of the field is loaded in the

starting gate, and such horse is not immediately taken in hand by the outrider and brought back for reloading, the starter shall unload the horses in the gate and reload such horses in their proper order when the runaway horse is brought back to position for reloading. All causes of delay shall be reported by the starter to the stewards. No person other than the jockey or starter or assistant starter shall be permitted to strike a horse or attempt, by shouting or other fashion, to assist such horse in getting a start.

Section 9. Starting Gate to be Used. A starting gate approved by the commission shall be used in starting all races on the flat except in cases permitted by the stewards. When a race is started without a starting gate, there shall be no start until, and no recall after, the assistant starter has dropped the flag in answer to the starter.

Section 10. Horses Left at Post. (1) If a door at the front of the starting gate should fail to open timely when the starter dispatches the field, or if a horse inadvertently has not been loaded in his scheduled position in the starting gate when the field is dispatched, thereby causing such horse to be left at the post, the starter immediately shall report such circumstance to the stewards who shall immediately post the "inquiry" sign on the infield results board and advise the public to hold all mutual tickets. After consulting with the starter and viewing the patrol films or video tapes, the stewards then shall determine whether such horse was precluded from obtaining a fair start.

(2) If the stewards find such horse was precluded from obtaining a fair start, the stewards shall rule such a horse a nonstarter and shall order money wagered on such horse deducted from the pari-mutuel pool and refunded to holders of pari-mutuel tickets thereon; provided, however, if such horse ruled a nonstarter is part of a mutuel entry and another horse in such entry is not left at the post, there shall be no pari-mutuel refund.

(3) Stakes fees for such ruled nonstarter shall be refunded to the owner.

Section 11. Leaving Course; Losing Jockey. If a horse leaves the course during the running of a race, such horse must turn back and run the course from the point at which it left the course, or such horse shall be ruled unplaced. Any horse which starts in a race, but does not cross the finish line, or is not ridden across the finish line by the jockey with whom it starts the race, shall be declared unplaced. Any portion of a purse that would normally accrue to such horse shall revert to the association.

Section 12. Fouls. A leading horse when clear is entitled to any part of the track. Except in a straight-away racing, every horse must maintain position as nearly as possible in the lane in which it starts. If a leading horse, or any other horse in a race, swerves or is ridden to either side so as to interfere with or intimidate or impede any other horse or jockey, or to cause same, it is a foul; if a jockey strikes another horse or jockey, it is a foul. If in the opinion of the stewards, a foul alters the finish of a race, any offending horses may be disqualified by the stewards.

Section 13. Stewards to Determine Foul Riding. Every jockey shall be responsible for making his best effort to control and guide his mount in such a way as not to cause a foul. The stewards shall take cognizance of riding which results in a foul, irrespective of whether an objection is lodged, and if in the opinion of the stewards, a foul is committed as a result of a jockey not making his best effort to control and guide his mount to avoid a foul, whether intentionally or through carelessness or incompetence, such jockey may be penalized at the discretion of the stewards.

Section 14. Horses to be Ridden Out. Every horse in every race must be ridden so as to win or finish as near as possible to first and demonstrate the best and fastest performance of which it is

capable at the time; no horse shall be eased up without adequate cause even if it has no apparent chance to earn a portion of the purse money. A jockey who unnecessarily causes a horse to shorten stride may be penalized at the discretion of the stewards. Stewards shall take cognizance of marked reversal of form of all horses and shall conduct inquiries of the licensed owner, licensed trainer, and all other persons connected with such horse suspected of unformful racing; and if the stewards find that such horse was deliberately restrained or impeded in any way by any means so as not to win or finish as near as possible to first, any person found to have contributed to such circumstance may be penalized at the discretion of the stewards.

Section 15. Use of Whips, Other Means of Altering Performance. Whips are to be used uniformly and the stewards shall take cognizance of unusual use or nonuse of a whip by a jockey. No appliance, electrical or mechanical, other than the ordinary whip, shall be used to affect the speed of a horse in a race or workout. No sponge or other object may be used to interfere with the respiratory system of a horse. Use or nonuse of ordinary racing equipment shall be consistent and any change thereof must be approved by the stewards.

Section 16. Official Order of Finish as to Pari-mutuel Payoff. In the event of foul riding, or other cause for disqualification of any horses in a race, is brought to the attention of the stewards by the time the last jockey in a race has been weighted in, the stewards shall rule on the extent of disqualification, if any, and shall determine the placing of the horses in the official order of finish for purposes of pari-mutuel payoff. After the stewards have caused the "official" sign to be flashed on the infield result board, the order of finish so declared official shall be final, and no right of appeal thereof shall exist, insofar as the pari-mutuel payoff is concerned. Any subsequent change in the order of the finish or award of purse money after the result of a race has been so declared official by the stewards shall in no way affect the pari-mutuel payoff. (Recodified from 812 KAR 1:085, 6-10-87; Am. 14 Ky.R. 1687; eff. 3-10-88.)